

Article - Public Safety

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§13A–505.

(a) (1) A military judge shall be detailed to each general and special court–martial by the senior military judge in the State.

(2) The military judge shall preside over each open session of the court–martial to which the military judge has been detailed.

(b) A military judge shall be:

(1) an active or retired commissioned officer of an organized state military force;

(2) a member in good standing of the bar of the Court of Appeals of Maryland; and

(3) certified as qualified for duty as a military judge by the senior force judge advocate that is the same force as the accused.

(c) The convening authority or a staff member of the convening authority may not prepare or review a report concerning the effectiveness, fitness, or efficiency of the military judge so detailed, which relates to performance of duty as a military judge.

(d) A person is not eligible to act as military judge in a case if the person is the accuser or a witness, or has acted as investigating officer or a counsel in the same case.

(e) The military judge of a court–martial may not:

(1) consult with the members of the court except in the presence of the accused, trial counsel, and defense counsel; or

(2) vote with the members of the court.

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